

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

JOE H. BANDY, III,

Civil No. 13-2209 (JRT/LIB)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

COMMISSIONER OF CORRECTION, et
al,

Defendant.

Joe H. Bandy, III, 1111 Hwy 73, Moose Lake, MN 55767, *pro se* plaintiff,

Margaret E Jacot, Thomas Madison, Uzodima Aba-Onu, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, Suite 900, 445 Minnesota Street, St Paul, MN 55101-2127, Daniel P Rogan, **HENNEPIN COUNTY ATTORNEY'S OFFICE**, Suite A2000, 300 South Sixth Street, Minneapolis, MN 55487 for defendants.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter,

IT IS HEREBY ORDERED:

1. That Plaintiff's Motion for Partial Voluntary Dismissal, [Docket No. 56], is GRANTED, and that Defendants Beth Verdin, Will McDonald, Thane Murphy and Corry Vargason are **DISMISSED without prejudice**.

2. That Defendant McDonand's Motion to Dismiss, [Docket No. 10], is

DENIED as moot.

3. That Defendant Murphy's Motion to Dismiss, [Docket No. 38], is

DENIED as moot.

Dated: May 15, 2014

s/John R. Tunheim

JOHN R. TUNHEIM

United States District Judge